

**CALL TO ORDER**

Deputy Mayor Severino opened the meeting at 7:00 p.m.

**ROLL CALL** - Present: Mr. Severino, Mr. Bischoff, Mr. Mazza

Absent: Mr. Haynes, Mrs. Dziubek

Others Present: J. Peter Jost, Esq., and Ella M. Ruta, Township Clerk.

**“Sunshine Law” Announcement:** Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

**FLAG SALUTE****APPROVAL OF MINUTES**

- a. Regular and Executive Session Meeting Minutes of April 1, 2009.

Mr. Mazza made a motion to approve the said minutes. Mr. Bischoff seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion carried.

Mr. Bischoff noted that the March 19, 2009 Executive Session Minutes had not been approved in the April 1<sup>st</sup> minutes.

Mr. Mazza made a motion to approve the March 19, 2009 Executive Session Minutes. Mr. Bischoff seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion carried.

**VISITORS**

- a. Pattenburg Rescue Squad – Paid Day Crew

Mr. James E. Seguire, Administrator for Rescue Squad, gave a presentation of hiring daytime paid EMS employees and to continue with volunteers from 6:00 pm to 6:00 am. The Committee thanked Mr. Seguire for his presentation.

**REPORTS RECEIVED**

- a. Road Dept. - Week Ending 3/27/09; 4/04/09 - Briefly discussed Van Syckles Road drainage.
- b. Tax Collector – March 2009
- c. Construction Dept – March 2009
- d. Animal Control Officer – March 2009
- e. Environmental Commission – Douglas Farm Deed of Easement

Paige DeRoberto explained details of the easement and restrictions. She spoke with the County and they were satisfied with the document. She also mentioned scheduling the date for auctioning the farm. Ms. DeRoberto would like the Committee to give a date to move the project forward. The Committee asked that Mr. Spann of Max Spann Realty attend the next meeting to talk about details with regard to the auction.

**CORRESPONDENCE**

Mr. Mazza mentioned the following correspondence:

- A response letter from NJDOT regarding safety concerns along Route I-78 Exit 11 and Route 173. The State suggested heightened awareness through signage to increase safety.
- A letter from NJDEP approving Township's application for a Green Acres matching grant of \$500,000 for preserving open space. The funding is contingent upon the passage of a legislative appropriation.

Bischoff mentioned the following correspondence:

- NJLM-Tax Exempt Bond Provision Included in Stimulus Bill. Clerk was asked to give a copy to Grace Brennan, CFO for review.
- Notification of the Final Flood Hazard Determination from Federal Emergency Management Agency. Atty. Jost and the Twp. Engineer will work on the additional information requirements for the NFIP.
- NJDOT, Re: Applications for the Transportation Enhancement ARRA (Economic Recovery) Program. The deadline for submission is March 2, 2010. Mr. Bischoff asked that a copy of the letter be given to Mr. Nevitt Duveneck at Finelli Consulting, for review.
- Copy of Deed of Conservation Restriction for Properties Purchased through the EIF Program Block 22, Lot 20 from NJDEP. Mr. Bischoff asked the location of the property. Atty. Jost said it is Milligan Farm.

Mr. Severino mentioned the following correspondence:

- Notice of Violation issued to Leigh Gascorp (Louise's Diner) by the Zoning Officer, Dick McManus.

**PUBLIC COMMENTS**

Ray, Ferreira of 42 Cooks Cross Road, on behalf of Cub Scout Pack 149 was seeking an approval for use of Finn Rd Park on June 14, 2009 from 12-5 pm for picnic and awards ceremony. Mr. Ferreira will have to submit Park Usage Application with insurance certificate for approval by the Recreation Committee. He also informed the Committee about Cub Scouts involvement in a variety of activities.

**Mr. Bischoff made a motion to approve use of Finn Road Park by the Cub Scouts Pack 149, subject to the submission of the appropriate documentation, including insurance certificate naming the Township as an additional insured and approval by the Recreation Committee. Mr. Mazza seconded the motion. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion carried.**

**PUBLIC HEARING – 2<sup>nd</sup> reading**

**OLD BUSINESS**

- a. The following resolution was tabled for adoption:

**RESOLUTION 2009-  
Animal Control Service Contract**

No action taken, the matter was tabled.

**NEW ORDINANCE – 1<sup>ST</sup> Reading**

**ORDINANCE #2009-3**

**AN ORDINANCE FIXING AND DETERMINING MUNICIPAL CLASS POSITION TITLES AND  
SALARY RANGES FOR CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF  
UNION, COUNTY OF HUNTERDON, NJ – 2009**

BE IT ORDAINED, by the Township committee of the Township of Union, County of Hunterdon, State of New Jersey, the salary ranges per annum for the year 2009 for the following officers and employees shall be as follows:

Salaries are for a period of one year unless otherwise noted:

#### ADMINISTRATIVE

<u>POSITION</u>	<u>2009 SALARY RANGE</u>
Mayor	\$ 4,000 - 5,000
Township Committee	4,000 - 4,800
Township Clerk	25,000 - 55,000
Deputy Clerk	0 - 20,000
Tax Collector	15,000 - 37,500
Tax Assessor	20,000 - 41,000
Assessment Search Officer	0 - 1,700
Treasurer	0 - 23,500
Municipal Finance Officer (CFO)	10,000 - 35,000
Emergency Management Coordinator	2,000 - 7,500
9-1-1 Coordinator	0 - 4,000
Deputy Emg. Mgm. Coordinator	0 - 2,500
Registrar	0 - 5,000
Clerical Assistant(s)	min. wage - 25./hr
Purchasing Agent	250 - 1,500
Housing Administrator – COAH	0 - 10,000

#### CONSTRUCTION DEPARTMENT

Construction Subcode Official	0 - 22,000
Building Subcode Official	0 - 22,000
Fire Subcode Official	0 - 10,500
Plumbing Subcode Official/Inspector	0 - 15,500
Electrical Subcode Official/Inspector	0 - 15,500

#### Temporary Part-Time Employees:

Substitute Construction/Building/Fire/Plumbing/Electrical Subcode Officials/Inspectors	\$25.00 per insp.-\$50.00
Construction Official Secretary/Administrative Assistant	10,000 – 42,500

#### MUNICIPAL COURT

Judge	12,000 - 25,000
Administrator	20,000 - 47,500
Arrest After Hours	4,000 max/ 1 yr.
Deputy Court Administrator	Min Wage/hr. - \$25.00/hr
Court Attendant	50. - 100.00./session
Prosecutor	10,000 - 17,500
Public Defender	0 - 5,000

#### PUBLIC WORKS DEPARTMENT

Parking Enforcement & Municipal Violations Officer	0 - 5,000
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Foreman	30,000 – 65,000
Public Works Staff No. 1	30,000 – 46,000
Public Works Staff No. 2	30,000 – 46,000
Public Works Staff No. 3	30,000 – 46,000
Public Works Staff No. 4	30,000 – 46,000
Part-time/Emergency-by appointment	8.00/hr - 15.00/hr
Parks Worker No. 1	6,000 - 13,500

**LAND USE DEPARTMENT**

Zoning Officer	6,000 - 14,000
Deputy Zoning Officer	1.00
Planning Bd./Bd. of Adj. Secretary(Combined)	15,000 - 43,500

**MISCELLANEOUS**

Recycling Attendant	9./hr - 13.00/hr
Recycling Coordinator	4,000 - 10,000
Clean Communities Coordinator	10.00 - 14.00/hr
Dog & Cat Registrar	2,000 - 6,000
Animal Control Officer	2,500 - 7,500
Dog Census	0 - 3,000
Dumpster Attendant	10.00 - 13.00/hr
Dumpster Attendant Helper	8./hr – 13.00/hr

**LONGEVITY PAY** – In addition to the salary indicated above, each full time employee shall receive longevity pay after five (5) years of continuous service, beginning on or before March 15<sup>th</sup>, including any officially authorized leave of absence, sick leave or vacation. Longevity pay shall not include additional compensation, such as overtime; and shall be calculated as follows:

Fifth year salary x 1%	employed 5 - 9 years
Tenth year salary x 1%	employed 10-14 years
Fifteenth year salary x 1%	employed 15-19 years
Twentieth year salary x 1%	employed 20-24 years
Twenty-fifth year salary x 1%	employed 25 and more years

**HEALTH INSURANCE**

Each employee and official covered under the New Jersey State Health Benefits Program through the Township of Union shall contribute five percent (5%) of the premium cost of such health insurance, excluding prescription coverage, but including dental coverage.

**MISCELLANEOUS –**

If the provisions of any part of this Ordinance shall be judged invalid by any Court of competent jurisdiction, such order or judgment shall not affect or invalidate the remainder of this Ordinance; the provisions of this Ordinance are hereby declared to be severable.

This Ordinance shall take effect according to statute until further Ordinance by this Township Committee.

Mr. Bischoff made a motion to adopt the above ordinance on 1<sup>st</sup> reading. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

**NEW BUSINESS**

- a. The following resolution introduced for adoption:

**RESOLUTION #2009-73  
UNION TOWNSHIP, HUNTERDON COUNTY  
OLDER AMERICANS MONTH  
PROCLAMATION**

**WHEREAS**, the month of **May** is traditionally designated and observed throughout the nation as **Older Americans Month**; and

**WHEREAS**, the 2009 theme is “**Live Today for a Better Tomorrow**” in honor of older Americans; and

**WHEREAS**, the Township of Union recognizes the contributions older Americans have made to our families, our communities, and our nation; and

**WHEREAS**, older Americans remain active and productive, volunteering their time, talents and expertise, thereby enriching all our lives;

**NOW, THEREFORE, BE IT RESOLVED** that Union Township does hereby proclaim the month of May as Older Americans Month and calls upon individuals and entities to honor and celebrate the outstanding contributions of Union Township’s older residents.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Mazza seconded. Vote: Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

- b. **Request by Tim Strand for the Mayor to sign a letter to DOT; no objection for flying hot air balloons**

Mr. Bischoff made a motion to authorize the Deputy Mayor to sign the letter to the NJDOT. Mr. Mazza seconded motion. Vote - Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

**REPORTS**

- a. **Engineer’s Report** – a written copy of the report has been submitted with following topics:

- Maintenance & Repair – 2008 – Maintenance Guarantee
- Maintenance & Repair – 2009
- Annual Stormwater Report – will be mailed with 2009/2010 Tax Bills
- NJDOT Local Aid Application

- b. **Attorney’s Report**

- All issues covered.

- c. **Mayor’s Report** – Not present at the meeting; Deputy Mayor Severino reported the following:

- Mr. Ganz of Village Square Homeowners Assoc. asked permission to receive millings that they are applying to walking paths. Millings will come from Rt. 78 project. Spoke with Brian Kirkpatrick and the County, no issues with them.

- Annual stream clean up at Spruce Run Park this Saturday, April 18<sup>th</sup> from 9-12. All are welcome.
- Contacted Waste Management regarding renewal of recycling contract. Atty. Jost advised the Committee to obtain another quote for recycling services before renewing the contract.
- Mr. Severino and Mr. Mazza met with Franklin Township officials pertaining to an interlocal agreement for construction department services. Mr. Severino said that by the next meeting the Committee will make a decision to use DCA services or enter into an interlocal agreement with Franklin Twp.

**d. Committee Report**

Mr. Haynes reported the following: Not present for the meeting

Mr. Mazza reported the following:

- Working on safety compliance in the park. Additional mulch has to be added to the playground area. Discussed was cost of rubberized mulch versus regular or other alternatives. Mr. Mazza will obtain prices for different kinds of mulch.

Mr. Bischoff reported the following:

- Mr. Bischoff's quote: "There must be something more than two wolves and a sheep voting on what to have for dinner", Libertarian, 1994.
- Stated that SPS telephone service for the Township can be contacted to work on eliminating some phone services at the municipal building.
- Two bids are coming in from developers for the Milligan Farm COAH project.
- Correspondence on COAH lawsuit from Atty. Koenig. Issue briefly discussed by the Committee.
- A request from the UT Court to have the Court Administrator and her assistant Nancy Horvath attend a Tri-County Court Administrators Association lunch at a cost of \$30.00 per person. As the Court Liaison, Mr. Bischoff recommended disapproving this request.

**Mr. Bischoff made a motion to deny the request. Mr. Mazza seconded the motion. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion carried.**

Mr. Severino reported the following:

- Committee reviewed draft of newsletter. The Clerk will contact Michele McBride to correct the contact name of Recycling Coordinator to Bill Garrison.

**e. Clerk's Report**

- Application for Field Use at Finn Road Park – US Sports Institute

Written approval from Jack Hara, Chairman of the Recreation Committee, was received regarding the application.

Mr. Bischoff made a motion to approve above application, subject to submitting certificate of insurance naming the Township as an additional insured and financial arrangement to be made by chairman of the Rec. Committee. Mr. Mazza seconded the motion. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion carried.

- Next Tuesday is the School Election with new hours, 7 am to 9 pm.
- Mr. Severino asked if the Clerk purchased new printer for the zoning office. Clerk stated that the purchase price went over previously approved amount of \$150.00.

Mr. Mazza made a motion to modify prior motion to purchase printer. The new amount is not to exceed \$200.00. Mr. Bischoff seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza.

**PUBLIC COMMENTS** - None

**PAYMENT OF THE BILLS** - No Bills for Payment this meeting.

**EXECUTIVE SESSION** – the following resolution was introduced for adoption:

**RESOLUTION 2009-74**

**Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12**

**WHEREAS**, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.,; and

**WHEREAS**, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege*: Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is require in order for the attorney to exercise his ethical duties as a lawyer.
2. \_\_\_\_\_ *Matters Relating to the Employment Relationship*: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in Executive session on April 15, 2009, at 8:50 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Mazza seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

At 9:15 p.m., Mr. Bischoff made a motion to come out of the Executive Session. Mr. Mazza seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

After coming out of Executive Session, the following action was taken by the Township Committee:

Atty. Jost dictated the following resolution for introduction and adoption:

**RESOLUTION #2009-75  
UNION TOWNSHIP, HUNTERDON COUNTY  
MAYOR'S ABSENCE**

**WHEREAS**, Mayor Patricia Dziubek has been ill and the Committee is aware of the details of her conditions which have affected the Mayor and the details of those conditions; and

**WHEREAS**, the absence of the Mayor from the meetings has been justifiable due to her health situation; and

**WHEREAS**, the Committee and Mayor Dziubek are optimistic that her condition will improve in the future

**NOW, THEREFORE BE IT RESOLVED** by the Union Township Committee that the Township Committee hereby excuses all to date absences of Mayor Dziubek from the Township Committee meetings due to health reasons and grants an additional TWO MONTH extension to be reevaluated at the end of the two month period.

Mr. Bischoff made a motion to adopt the above resolution. Mr. Mazza seconded. Vote – Ayes: Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.

Mr. Jost also recommended that old Executive Session Minutes be declassified if confidentiality no longer applies. A sub-committee who would periodically report to the Township Committee with recommendations as to which minutes should be declassified.

**Mr. Bischoff made a motion that a sub-committee be appointed consisting of a member of the Township Committee, the Clerk and Twp. Attorney to review old executive session minutes and make recommendations to the Township Committee for the declassification of old executive session minutes. Mr. Mazza seconded. Vote: Ayes – Mr. Severino, Mr. Bischoff, Mr. Mazza. Motion Carried.**

Mr. Severino appointed Mr. Bischoff as a member of the sub-committee and Mr. Bischoff gracefully accepted the appointment.

**ADJOURNMENT** – There being no further business to come before the Township Committee at this time, Mr. Bischoff made a motion to adjourn. Mr. Mazza seconded the motion. Motion carried by unanimous favorable roll call vote.

Atty. Jost stated for the record that there is no quorum to hold a Board of Health Meeting.

Meeting adjourned at approximately 9:55 p.m.

Respectfully submitted,

Ella M. Ruta, RMC  
Municipal Clerk